



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 05/12/2011 (Per: PG)

- A ➡ The 2011 drafting file for LRB-1653
- B ➡ The 2011 drafting file for LRB-1654
- C ➡ The 2011 drafting file for LRB-1655
- D ➡ The 2011 drafting file for LRB-1664
- E ➡ The 2011 drafting file for LRB-1696
- F ➡ The 2011 drafting file for LRB-1697
- G ➡ The 2011 drafting file for LRB-1702
- H ➡ The 2011 drafting file for LRB-1703
- I ➡ The 2011 drafting file for LRB-1710
- J ➡ The 2011 drafting file for LRB-1747

➡ Compile Draft – Appendix F

has been copied/added to the drafting file for

2011 LRB-2066

2011 DRAFTING REQUEST

Bill

Received: **03/18/2011**

Received By: **tkuczens**

Wanted: **As time permits**

Companion to LRB:

For: **Steve Kestell (608) 266-8530**

By/Representing: **Chris Kulow**

May Contact:

Drafter: **tkuczens**

Subject: **Education - school boards**

Addl. Drafters:

Extra Copies: **pg**

Submit via email: **YES**

Requester's email: **Rep.Kestell@legis.wisconsin.gov**

Carbon copy (CC:) to: **tracy.kuczenski@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Use of law enforcement records for disciplinary action under school district's athletic code

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	tkuczens 03/24/2011	jdyer 03/30/2011	rschluet 03/30/2011	_____	ggodwin 03/30/2011		

FE Sent For:

<END>

2011 DRAFTING REQUEST**Bill**

Received: 03/18/2011

Received By: tkuczens

Wanted: As time permits

Companion to LRB:

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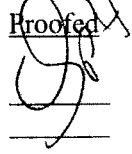
Topic:

Use of law enforcement records for disciplinary action under school district's athletic code

Instructions:

See attached

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1/?	tkuczens	PI 3/30 ju					

FE Sent For:

<END>

Kuczenski, Tracy

From: Kulow, Chris
Sent: Friday, March 11, 2011 9:02 AM
To: Grant, Peter; Kuczenski, Tracy
Subject: Education Omnibus Bill
Attachments: Eduomnibus.doc
Peter/Tracy,

Hopefully you didn't quit or jump out a window after seeing the subject line of this email. This is a list of primarily mandate relief initiatives that we want to do in one omnibus bill. Let me know if you need more direction on any of these items listed.

Also, could you update me on the progress of our "misuse of school district technology" (looking at porn at school) draft? I know there were some questions in the past and just want to make sure you have what you need.

Thanks,

Christopher Kulow
Office of State Representative Steve Kestell
15 West - State Capitol; 266-8530
<http://kestell.assembly.wisconsin.gov>

TK✓ 20) Provide that boards are not prohibited from using law enforcement records as the basis for taking disciplinary action under the school district's athletic code against a pupil. (s. 118.25, Wis. Stats.)

Section 118.125 (5)(b), Wis. Stats., provides that law enforcement officers' records obtained under s. 48.396 (1) or 938.396 (1) (b) 2. or (c) 3. and records of the court assigned to exercise jurisdiction under chs. 48 and 938 or of a municipal court obtained under s. 938.396 (2g) (m) may not be used by a school district as the sole basis for expelling or suspending a pupil or as the sole basis for taking any other disciplinary action, including action under the school district's athletic code, against a pupil.

Change so that law enforcement records may be used to take action under the school's athletic code (**only**, not to expel or suspend from school unless the action can reasonably be seen as continuing to endanger other pupils).

3/11/2011



State of Wisconsin
2011 - 2012 LEGISLATURE



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

3/24/11

✓
1

Gen

AN ACT ...; relating to: (??)

use of law enforcement records to take disciplinary action against a pupil under a school district's athletic code

Analysis by the Legislative Reference Bureau

Under current law, law enforcement records obtained by and relating to the conduct of a pupil of a school district may not be used as the sole basis for expelling or suspending the pupil or as the sole basis for taking any other disciplinary action against the pupil, including action under the school district's athletic code. This bill permits a school district to use such law enforcement records as the sole basis for taking action against a pupil under the district's athletic code.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 118.125 (5) (b) of the statutes is amended to read:

3 118.125 (5) (b) Law enforcement officers' records obtained under s. 48.396 (1)

4 or 938.396 (1) (b) 2. or (c) 3. and records of the court assigned to exercise jurisdiction

5 under chs. 48 and 938 or of a municipal court obtained under s. 938.396 (2g) (m) may

6 not be used by a school district as the sole basis for expelling or suspending a pupil

7 or as the sole basis for taking any other disciplinary action against a pupil, including

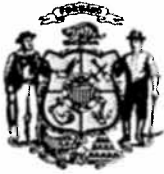
strike comma

- 1 against a pupil, ← score
but may be used as the sole basis for taking action against a pupil under the school
2 district's athletic code, ~~against a pupil.~~ ✓

History: 1973 c. 254; 1977 c. 418; 1979 c. 205; 1981 c. 20, 273; 1983 a. 489; 1985 a. 218; 1987 a. 27, 70, 206, 285, 337, 355; 1987 a. 399 s. 491r; 1987 a. 403 ss. 123, 124, 256; 1989 a. 31, 168; 1989 a. 201 s. 36; 1989 a. 336; 1991 a. 39, 189; 1993 a. 27, 172, 334, 377, 385, 399, 450, 491; 1995 a. 27 ss. 3939, 3940, 9126 (19), 9130 (4), 9145 (1); 1995 a. 77, 173, 225, 352; 1997 a. 3, 27, 205, 237, 239; 1999 a. 9, 149; 2003 a. 82, 292; 2005 a. 344, 434; 2005 a. 443 s. 265; 2007 a. 20 ss. 2712, 9121 (6) (a); 2009 a. 11, 28, 209, 302, 309; s. 13.92 (2) (i).

3

(END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1697/P1
TKK:jld:rs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to amend** 118.125 (5) (b) of the statutes; **relating to:** use of law
2 enforcement records to take disciplinary action against a pupil under a school
3 district's athletic code.

Analysis by the Legislative Reference Bureau

Under current law, law enforcement records obtained by and relating to the conduct of a pupil of a school district may not be used as the sole basis for expelling or suspending the pupil or as the sole basis for taking any other disciplinary action against the pupil, including action under the school district's athletic code. This bill permits a school district to use such law enforcement records as the sole basis for taking action against a pupil under the district's athletic code.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 118.125 (5) (b) of the statutes is amended to read:
5 118.125 (5) (b) Law enforcement officers' records obtained under s. 48.396 (1)
6 or 938.396 (1) (b) 2. or (c) 3. and records of the court assigned to exercise jurisdiction
7 under chs. 48 and 938 or of a municipal court obtained under s. 938.396 (2g) (m) may

1 not be used by a school district as the sole basis for expelling or suspending a pupil
2 or as the sole basis for taking any other disciplinary action, ~~including against a pupil.~~
3 but may be used as the sole basis for taking action against a pupil under the school
4 district's athletic code, ~~against a pupil.~~

5 (END)